

Fill in this information to identify the case:

Debtor Name Preferred Ready-Mix LLC

United States Bankruptcy Court for the: Southern District of Texas

Case number: 21-33369☐ Check if this is an amended filing

Official Form 425C

Monthly Operating Report for Small Business Under Chapter 11

12/17

Month: 10/26/2021Date report filed: 10/01/2021
MM / DD / YYYYLine of business: CONCRETENAISC code: 3273

In accordance with title 28, section 1746, of the United States Code, I declare under penalty of perjury that I have examined the following small business monthly operating report and the accompanying attachments and, to the best of my knowledge, these documents are true, correct, and complete.

Responsible party: ROBERT FORAN

Original signature of responsible party

Printed name of responsible party ROBERT FORAN**1. Questionnaire**

Answer all questions on behalf of the debtor for the period covered by this report, unless otherwise indicated.

If you answer No to any of the questions in lines 1-9, attach an explanation and label it Exhibit A.

Yes No N/A

- | | | | |
|--|-------------------------------------|-------------------------------------|--------------------------|
| 1. Did the business operate during the entire reporting period? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Do you plan to continue to operate the business next month? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Have you paid all of your bills on time? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Did you pay your employees on time? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Have you deposited all the receipts for your business into debtor in possession (DIP) accounts? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Have you timely filed your tax returns and paid all of your taxes? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Have you timely filed all other required government filings? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Are you current on your quarterly fee payments to the U.S. Trustee or Bankruptcy Administrator? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. Have you timely paid all of your insurance premiums? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

If you answer Yes to any of the questions in lines 10-18, attach an explanation and label it Exhibit B.

- | | | | |
|---|-------------------------------------|-------------------------------------|--------------------------|
| 10. Do you have any bank accounts open other than the DIP accounts? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 11. Have you sold any assets other than inventory? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 12. Have you sold or transferred any assets or provided services to anyone related to the DIP in any way? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 13. Did any insurance company cancel your policy? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 14. Did you have any unusual or significant unanticipated expenses? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 15. Have you borrowed money from anyone or has anyone made any payments on your behalf? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 16. Has anyone made an investment in your business? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Debtor Name Preferred Ready-Mix LLCCase number 21-33369

17. Have you paid any bills you owed before you filed bankruptcy?

☐ ☒ ☐

18. Have you allowed any checks to clear the bank that were issued before you filed bankruptcy?

☐ ☒ ☐**2. Summary of Cash Activity for All Accounts****19. Total opening balance of all accounts**

This amount must equal what you reported as the cash on hand at the end of the month in the previous month. If this is your first report, report the total cash on hand as of the date of the filing of this case.

\$ 792.00**20. Total cash receipts**

Attach a listing of all cash received for the month and label it *Exhibit C*. Include all cash received even if you have not deposited it at the bank, collections on receivables, credit card deposits, cash received from other parties, or loans, gifts, or payments made by other parties on your behalf. Do not attach bank statements in lieu of *Exhibit C*.

Report the total from *Exhibit C* here.\$ 2,185.00**21. Total cash disbursements**

Attach a listing of all payments you made in the month and label it *Exhibit D*. List the date paid, payee, purpose, and amount. Include all cash payments, debit card transactions, checks issued even if they have not cleared the bank, outstanding checks issued before the bankruptcy was filed that were allowed to clear this month, and payments made by other parties on your behalf. Do not attach bank statements in lieu of *Exhibit D*.

Report the total from *Exhibit D* here.- \$ 836.00**22. Net cash flow**

Subtract line 21 from line 20 and report the result here.

This amount may be different from what you may have calculated as *net profit*.+ \$ 1,334.00**23. Cash on hand at the end of the month**

Add line 22 + line 19. Report the result here.

Report this figure as the *cash on hand at the beginning of the month* on your next operating report.

This amount may not match your bank account balance because you may have outstanding checks that have not cleared the bank or deposits in transit.

= \$ 2,126.00**3. Unpaid Bills**

Attach a list of all debts (including taxes) which you have incurred since the date you filed bankruptcy but have not paid. Label it *Exhibit E*. Include the date the debt was incurred, who is owed the money, the purpose of the debt, and when the debt is due. Report the total from *Exhibit E* here.

24. Total payables*(Exhibit E)*\$ 0.00

Debtor Name Preferred Ready-Mix LLCCase number 21-33369**4. Money Owed to You**

Attach a list of all amounts owed to you by your customers for work you have done or merchandise you have sold. Include amounts owed to you both before, and after you filed bankruptcy. Label it *Exhibit F*. Identify who owes you money, how much is owed, and when payment is due. Report the total from *Exhibit F* here.

25. Total receivables \$ 664,359.87
 (Exhibit F)

5. Employees

26. What was the number of employees when the case was filed? 12
 27. What is the number of employees as of the date of this monthly report? 4

6. Professional Fees

28. How much have you paid this month in professional fees related to this bankruptcy case? \$ 0.00
 29. How much have you paid in professional fees related to this bankruptcy case since the case was filed? \$ 30,000.00
 30. How much have you paid this month in other professional fees? \$ 0.00
 31. How much have you paid in total other professional fees since filing the case? \$ 0.00

7. Projections

Compare your actual cash receipts and disbursements to what you projected in the previous month. Projected figures in the first month should match those provided at the initial debtor interview, if any.

	Column A	—	Column B	=	Column C
	Projected		Actual		Difference
	Copy lines 35-37 from the previous month's report.		Copy lines 20-22 of this report.		Subtract Column B from Column A.
32. Cash receipts	\$ <u> </u>	—	\$ <u>2,185.00</u>	=	\$ <u>41,833.10</u>
33. Cash disbursements	\$ <u> </u>	—	\$ <u>836.00</u>	=	\$ <u>22,635.05</u>
34. Net cash flow	\$ <u> </u>	—	\$ <u>1,334.00</u>	=	\$ <u>22,237.00</u>
35. Total projected cash receipts for the next month:					\$ <u>39,648.10</u>
36. Total projected cash disbursements for the next month:					- \$ <u>2,347.05</u>
37. Total projected net cash flow for the next month:					= \$ <u>23,571.05</u>

Debtor Name Preferred Ready-Mix LLC

Case number 21-33369

8. Additional Information

If available, check the box to the left and attach copies of the following documents.

- ☐ 38. Bank statements for each open account (redact all but the last 4 digits of account numbers).
- ☐ 39. Bank reconciliation reports for each account.
- ☒ 40. Financial reports such as an income statement (profit & loss) and/or balance sheet.
- ☐ 41. Budget, projection, or forecast reports.
- ☐ 42. Project, job costing, or work-in-progress reports.



TO WHOM IT MAY CONCERN;

DATED:1/11/2022

SUBJECT: EXHIBIT A

I AM PROVIDING AN EXPLANATION OF WHY WE DID NOT OPERATE THE ENTIRE REPORTING PERIOD.

IN MID OCTOBER 2021, PREFERRED READY-MIX LLC FILED A CHAPTER 11 BANKRUPTCY. DURING THAT PROCESS WE HIRED JESSICA HOFF AND ASSUMED THAT SHE WOULD ASSIST IN OBTAINING OUR EQUIPMENT THAT COURT RECEIVER ROBERT BERLETH ILLEGALLY SEIZED. DURING THAT WHOLE PROCESS MR. BERLETH WAS AWARE OF THE CHAPTER 11 BANKRUPTCY FILING AND REFUSED TO RELEASE SEIZED EQUIPMENT.

IN MID OCTOBER 2021, PREFERRED READY MIX LLC HIRED JOYCE LINDAUER TO ASSIST THEM IN THE CHAPTER 11 BANKRUPTCY FILING DUE TO JESSICA HOFF NOT COMMUNICATING AND ROBERT BERLETHS ACTIONS. MS. LINDAUER THEN REACHED OUT TO RECEIVER ROBERT BERLETH AND DEMANED EQUIPMENT RETURNED. IT WAS IN LATE OCTOBER 2021, THE EQUIPMENT WAS RETURNED DAMAGED AND STOLEN TOOLS AS WELL. IT HAS BEEN A STRUGGLE TO GET THE COMPANY LEVELED OUT DURING THIS BILL CYCLE BUT HAS NOW STARTED TO LEVEL OUT.

SINCERELY,

ROBERT FORAN, PRESIDENT OF OPERATIONS.

A handwritten signature in blue ink, appearing to read "R. Foran", is written over a horizontal line. The signature is stylized and cursive.



TO WHOM IT MAY CONCERN;

DATED: 1/11/2022

SUBJECT: EXHIBIT B

I AM PROVIDING AN EXPLANATION OF WHO MADE AN INVESTMENT

MY NAME IS ROBERT FORAN, DURING THIS PROCESS MY GIRLFRIEND PROVIDED PREFERRED READY-MIX LLC SEVERAL INVESTMENTS INCLUDING FUNDS TO OBTAIN LEGAL COUNSEL TO FILE THE CHAPTER 11 AS WELL AS INVESTMENTS INTO THE BUSINESS TO COVER ANY EXPENSES THAT ARE NEEDED. THESE INVESTMENTS ARE MADE AND NOT EXPECTED TO BE RETURNED TO HER AS SHE HAS NOTIFIED ME SHE WANTS WHATS BEST FOR PREFERRED READY-MIX LLC.

SINCERELY,

ROBERT FORAN, PRESIDENT OF OPERATIONS.

A handwritten signature in black ink, appearing to read "Robert Foran", is written over a horizontal line.

Preferred Readymix LLC

Profit and Loss Detail

October 26-31, 2021

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	SPLIT	AMOUNT	BALANCE
Ordinary Income/Expenses							
Income							
Sales							
10/26/2021	Deposit		TEXAS CONCRETE ENTERPRISE READY MIX INC	Counter Credit	OPERATING ACCOUNT FOR PRM	1,600.00	1,600.00
10/28/2021	Invoice	1487	CAMPBELL CONCRETE & MATERIALS, LLC	TICKET NO. 10349246	Accounts Receivable (A/R)	195.00	1,795.00
10/28/2021	Invoice	1487	CAMPBELL CONCRETE & MATERIALS, LLC	TICKET NO. 10349358	Accounts Receivable (A/R)	195.00	1,990.00
10/28/2021	Invoice	1487	CAMPBELL CONCRETE & MATERIALS, LLC	TICKET NO. 10348932	Accounts Receivable (A/R)	195.00	2,185.00
Total for Sales						\$2,185.00	
Total for Income						\$2,185.00	
Cost of Goods Sold							
Contractors							
10/27/2021	Expense		Christian Castillo	Customer Withdrawal Image	OPERATING ACCOUNT FOR PRM	500.00	500.00
10/29/2021	Expense		Christian Castillo	Customer Withdrawal Image	OPERATING ACCOUNT FOR PRM	168.00	668.00
10/29/2021	Expense		Christian Castillo	Customer Withdrawal Image	OPERATING ACCOUNT FOR PRM	168.00	836.00
Total for Contractors						\$836.00	
Total for Cost of Goods Sold						\$836.00	
Net Income						\$1,349.00	

Preferred Readymix LLC

EXHIBIT F

A/R Aging Summary

As of January 11, 2022

	CURRENT	1 - 30	31 - 60	61 - 90	91 AND OVER	TOTAL
A&t Concrete					4,164.55	\$4,164.55
ALAMO CONCRETE					-3,449.43	\$ -3,449.43
ALLDAY CONCRETE					220.00	\$220.00
BLUESHARK CONCRETE					3,511.74	\$3,511.74
Boswell Concrete Construction					7,140.17	\$7,140.17
Budget Ready Mix					5,164.75	\$5,164.75
C&M Builders					585.63	\$585.63
CAMPBELL CONCRETE & MATERIALS, LLC	16,875.00					\$16,875.00
Cemex			-460.00		-35,657.64	\$ -36,117.64
CHRIS GENERAL CONSTRUCTION					-5,263.19	\$ -5,263.19
Concrete Group					1,969.57	\$1,969.57
CTC CONCRETE					58,010.41	\$58,010.41
D&D READY-MIX					9,480.00	\$9,480.00
FIVE STAR READY MIX, LLC					676.50	\$676.50
Forte Concrete Solutions					327,468.73	\$327,468.73
FX DESIGN LLC					10,879.13	\$10,879.13
GULF COAST CONCRETE & SHELL INC					11,242.43	\$11,242.43
HERERRA CONCRETE					11,658.16	\$11,658.16
Holiday Inn Express & Suites					44,571.59	\$44,571.59
HOUSTON COOL POOLS					8,307.59	\$8,307.59
JHL CONSTRUCTION					0.00	\$0.00
JONATHAN D TALYOR DBA TAYLOR RENOVATIONS					500.00	\$500.00
LEGACY DESIGN CONCRETE LLC					29,067.85	\$29,067.85
Lopez Asphalt Paving					3,714.27	\$3,714.27
Maldonado's Underground INC					28,147.44	\$28,147.44
MONTREI LOCKHART.			1,553.10			\$1,553.10
Ms Construction				16,542.51		\$16,542.51
OJ ReadyMix					-510.00	\$ -510.00
PC POSADA CONSTRUCTION					3,514.15	\$3,514.15
Pearls Express Inc.					5,000.00	\$5,000.00
Pro Foundations Inc					1,228.25	\$1,228.25
Rhino Ready Mix, LLC					2,007.75	\$2,007.75
ROCKCRETE READYMIX LLC				924.75		\$924.75
RODEZ CONTRACTORS					6,732.00	\$6,732.00
Rosas Company Services					983.99	\$983.99
RUBIO CONCRETE					1,156.00	\$1,156.00
Soto Ready Mix					849.50	\$849.50
ST. CROIX CUSTOM POOLS LLC					29,496.56	\$29,496.56
STEVEN DIAZ					380.00	\$380.00
TEXAS CONCRETE ENTERPRISE READY MIX INC		-750.00				\$ -750.00
TEXAS POOL GROUP					2,945.09	\$2,945.09
TEXAS RANCH CUSTOM HOME INC					5,880.00	\$5,880.00
Toan Doan					3,590.50	\$3,590.50
Tricor Builders					-59.75	\$ -59.75

	CURRENT	1 - 30	31 - 60	61 - 90	91 AND OVER	TOTAL
Trujillo Construction					33,287.81	\$33,287.81
TX SHOTCRETE SOLUTIONS					2,601.66	\$2,601.66
U.S Premium Concrete				2,160.75		\$2,160.75
Yonel Maldonado					6,320.00	\$6,320.00
TOTAL	\$16,875.00	\$-750.00	\$1,093.10	\$19,628.01	\$627,513.76	\$664,359.87